

REMARKS

Claims 1-15 and 23-30 are all the claims presently pending in the application. Claims 16-22 are withdrawn as being directed toward a non-elected invention.

It is noted that the claim amendments, if any, are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-5, 7-15, and 23-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0259315 to Sakaguchi et al. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakaguchi, further in view of US Patent 6,909,151 to Hareland.

Applicants attach hereto an un-executed version of a Declaration Under Rule 37 CFR §1.131 that disqualifies Sakaguchi as a prior art reference, thereby rendering moot the rejection currently of record. An executed version of this Declaration (without the accompanying Exhibits will be filed shortly via facsimile.

FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-15 and 23-30, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed

Serial No. 10/710,272
Docket No. FIS920030389US1 (FIS.082)

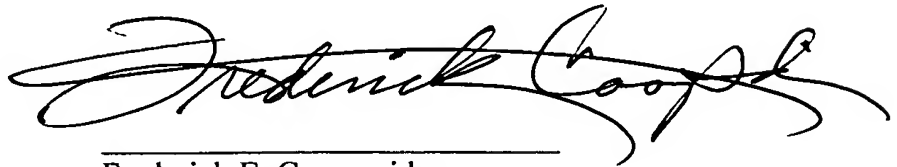
below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0458.

Respectfully Submitted,

Date: _____

12/7/05



Frederick E. Cooperrider
Registration No. 36,769

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254